

April 06, 2012

OSS Advisory Newsletter

MEDICAID ESTATE RECOVERY



VOLUME — FY 2012—04

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What is an estate?

An estate is all real and personal property and other assets of the deceased person (beneficiary) as defined in South Carolina Law.

What is estate recovery?

The Omnibus Budget Reconciliation Act (OBRA) of 1993 required that states implement an estate recovery program. This means that the federal government mandated estate recovery for all states. South Carolina's law went into effect July 1, 1994 and requires that the Medicaid program be reimbursed from the beneficiary's estate for medical expenses paid for by Medicaid.

Who is affected by estate recovery and what expenses must be reimbursed?

Two groups of people are affected by estate recovery. They are:

- A person of any age who was a patient in a nursing facility, intermediate care facility for the mentally retarded, or other medical institution at the time of death, and who was required to pay most of their monthly income for the cost of care; or
- A person who was 55 years of age or older when they received medical assistance consisting of nursing facility services, home and community-based services, and hospital and prescription drug services provided to individuals in nursing facilities or receiving home and community-based services.

WEBTOOL AND REMITTANCE ADVICES

Please be sure to print copies of your remittance advice each month. The webtool only holds the last 26 weeks of information. You will need this information for your records and to complete your Cost Report each year. Having this information pulled and printed by the Agency is costly and time consuming. Remember, there will be a charge associated with all requests for duplicate remittance advices.

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NEW PROVIDER SERVICE CENTER

TOLL-FREE 1-888-289-0709

In January 2011, the South Carolina Department of Health and Human Services (SCDHHS) implemented a new Provider Service Center (PSC) for specific provider groups. Beginning February 14, 2011, SCDHHS opened the PSC to all South Carolina Medicaid providers. The PSC will offer all provider types the expanded opportunity for assistance with Medicaid questions.

PSC customer service representatives will offer assistance with forms and manual requests, claims inquiries, payment issues and general billing issues. PSC representatives will also assist with Questions regarding the Qualified Medicare Beneficiary Program and Managed Care Services.

Providers can contact the PSC via the toll-free number :
1-888-289-0709 / 07:30AM to 05:00PM Monday through Friday.

In addition, the PSC will accept calls from all providers requiring assistance with the following:

- * Provider Enrollment
- * Electronic Data Interchange (EDI) support
- * Filing claims via the Web Tool

2012 Cost of Living Allowance (COLA) increase.

The SSI Federal Payment Standard will be raised by 3.6% - from \$674 to \$698 for 2012 - a \$24 increase from 2011.

In 2012, \$2 of this increase will go to the Personal Needs Allowance (PNA) - raising PNA to \$59 for pay cat 86 and \$79 for pay cat 85.

The new Net Income Limit (NIL) will be \$1181. The new amount a CRCF can charge in 2012 will increase from \$1100 to \$1122.

Please remember to submit your TAD no later than
April 17, 2012.

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How does estate recovery work?

If a person has an estate at death, the Medicaid program recovers any payments it made for medical services from the estate. Medicaid's claim will be similar to claims for funeral expenses, attorney's fees to administer the estate, and taxes. This claim will need to be satisfied in order to properly close the estate. The state isn't interested in taking ownership of any one's real property. Even though your home is not considered as a resource for Medicaid eligibility, it is an asset of your estate. It is the responsibility of the Personal Representative to determine how to repay Medicaid's claim from the assets of the estate.

For example: John Doe was in a nursing facility for the month of July. He died August 3. Medicaid paid \$2,000 for his care in July and August. His estate is worth \$50,000. Medicaid will recover \$2,000 from his estate, after claims with higher priority (i.e., mortgage, funeral expenses, probate fees) are paid.

In another example: Jane Doe has been on Medicaid for years. Medicaid has spent \$25,000 on medical services she received since she was age 55. Her estate is worth \$20,000. The Medicaid program will recover from the remainder of the estate, after claims with higher priority are paid.

Are there any exceptions?

Yes. Estate recovery may be waived in certain types of cases that involve an undue hardship. Undue hardship waiver requests may be submitted after the death of the beneficiary and will be given consideration if the conditions outlined in the provisions are met.

Questions concerning Medicaid Estate Recovery should be directed to the program manager at telephone number (803) 898-2932.

THINKING ABOUT IT.....

Thinking about... All Things Spring

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Spring has definitely sprung! Pastel blooms of dogwoods and other tree blossoms, the buzzing of bees, fragrant flowers blooming, and birds chirping all remind us of fresh and new beginnings. The warmer weather and extended daylight hours invite us to enjoy the sights, sounds and smells of springtime. And let's not forget the tastes of the season! Spring also brings along some wonderful seasonal treats to tantalize the taste buds.

This month's issue presents a few ways to enjoy the first full month of the season and hopefully a put a little spring into your step.

Easing Spring Allergies – If you suffer from outdoor allergies, you know full well that Spring is in the air! So you may long for heavy April showers to not only bring May flowers, but to also clear the air of pollen. Seeing your healthcare practitioner can help offer relief and a plan for controlling your symptoms. Additional ways to find relief during the spring allergy season include:



- avoiding outdoor activities in the morning when pollen counts are high
- taking allergy medications at least 30 minutes prior to outdoor activities
- keeping windows closed during peak season
- showering and washing your hair before bed to wash off the pollen collected on your skin and hair
- washing bedding weekly in hot water and drying your laundry indoors to avoid pollen



Enjoying Spring Outdoor Events – Springtime is a wonderful time to enjoy the outdoors (as long as you're managing your allergy symptoms well). Whether it's an afternoon walk, local festival or a small picnic, outdoor events provide a great option for physical activity. Spring provides many treats for the eyes of outdoor walkers. Walk with a partner and enjoy the bursting colors of spring. If you're attending outdoor events, parking can oftentimes be a hassle. So avoid the frustration of finding a prime space by parking farther away. This gives you the opportunity to get in more activity.

When attending festivals, be sure to walk around to view all the vendors and entertainment. Many festivals have live music, so you can enjoy dancing, a great moderate activity. If you're planning a family picnic, be sure to bring balls and equipment for outdoor games. Join in and have fun!

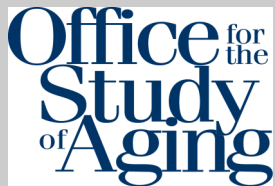
Eating Spring Seasonal Treats – Strawberries are wonderful this time of year! They may also be readily available in your “neck of the woods”. There are several strawberry farms across South Carolina as well as roadside stands which provide baskets of the fragrant seasonal fruit. Strawberries not only taste great this time of year, but they are also good for you. These red berries are packed with disease-fighting vitamin C, are a good source of fiber and folate, and are low in calories. One cup of raw halved strawberries is about 50 calories. Eat them alone, atop breakfast waffles or pancakes, mixed in spring salads, or macerate them for strawberry shortcakes. However you choose to eat them, enjoy all the goodness of strawberries this season.



Here's to enjoying all things Spring! I hope you find this information helpful because I've really been

Thinking About It.

Your Happy Healthy Thinker



Thinking About It is brought to you by:
Office for the Study of Aging
Arnold School of Public Health
University of South Carolina